

REMARKS

Claims 1-5, 8, 10, 12, 15-17, 27, 29 are pending.

Claims 1-5, 7-8, 10, 12, 15 and 17 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kripesh et al. (US 2002/0175424 A1) in view of Besser et al. (6444567 B1).

Claims 16 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kripesh et al. (US 2002/0175424 A1) in view of Sinha et al. (2004/0157433 A1).

Claims 27 and 29 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kripesh et al. (US 2002/0175424 A1) in view of Han et al. (6,924,234) and further in view of Besser et al. (6444567 B1).

Changes in the Claims:

Claims 1, 12, and 15 have been amended in this application to further particularly point out and distinctly claim subject matter regarded as the invention. The amendments are supported by the specification as originally filed, for example, at paragraph [0031]. No new matter has been added.

Rejection under 35 USC §103(a) – claims 1-5, 7-8, 10, 12, 15 and 17

Claims 1-5, 7-8, 10, 12, 15 and 17 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kripesh et al. (US 2002/0175424 A1) in view of Besser et al. (6444567 B1). This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Kripesh describes applying a noble metal to a bond pad 43.

Besser describes planarizing “an in-laid metallization pattern”. See Col. 11, line 10.

Applicant respectfully submits that the proposed combination of Kripesh and Besser does not teach or suggest all of the claim limitations of claims 1-5, 7-8, 10, 12, 15 and 17. In particular, neither *Kripesh* nor *Besser* teach or suggest “removing an oxide from the conductive path by etching the conductive path with a medium having a mildly acidic or mildly basic solution.” See Claim 1.

Han describes removing a Cu oxide layer prior to “polishing the Cu metal layer such that an upper surface of the insulation layer is exposed, thereby forming the Cu wiring.” Col. 3, lines 9-11. *Han* is concerned about “improving planarization while mitigating scratches during fabrication, and improving yield”. There is no motivation to combine the teachings of Han with Kripesh or Besser since Han is only concerned about polishing and thus leaving the Copper interconnect exposed.

Applicant therefore submits that the rejection based the Kripesh and Besser reference be withdrawn. Thus, Applicant submits that claims 1-5, 7-8, 10, 12, 15 and 17 recite novel subject matter which distinguishes over any possible combination of Kripesh and Besser.

Rejection under 35 USC §103(a) – claim 16

Claim 16 stands rejected under 35 USC §103(a) as being allegedly unpatentable over Kripesh et al. (US 2002/0175424 A1) in view of Sinha et al. (2004/0157433 A1). This rejection is respectfully traversed.

Applicant respectfully submits that the proposed combination of Kripesh and Sinha does not teach or suggest all of the claim limitations of claim 16. The above arguments are equally applicable.

Applicant therefore submits that the rejection based the Kripesh and Sinha reference be withdrawn. Thus, Applicant submits that claim 16 recites novel subject matter which distinguishes over any possible combination of Kripesh and Sinha.

Rejection under 35 USC §103(a) – claims 27 and 29

Claims 27 and 29 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Kripesh et al. (US 2002/0175424 A1) in view of Han et al. (6,924,234) and further in view of Besser et al. (6444567 B1). This rejection is moot since Claims 27 and 29 are cancelled.

Conclusion

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.

Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Invitation for a Telephone Interview

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Extension of Time

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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